

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Adoption of a Resolution and authorization to enter into a Locally Funded Agreement Supplemental Amendment Number 1 for the Transportation Regional Incentive Program (TRIP) for the Acquisition of Right-of-Way for the State Road 434 Project from Montgomery Road to Interstate 4 with the Florida Department of Transportation (Financial Project Number 240233-2-(4B, 43 & 46)-01

DEPARTMENT: Public Works

DIVISION: Engineering

AUTHORIZED BY: Gary Johnson

CONTACT: Brett Blackadar

EXT: 5707

MOTION/RECOMMENDATION:

Adopt a Resolution and authorize the Chairman to execute a Locally Funded Agreement Supplemental Amendment Number 1 with the Florida Department of Transportation.

District 4 Carlton D. Henley

Jerry McCollum

BACKGROUND:

The Florida Department of Transportation (FDOT) previously awarded Seminole County \$5,563,267 through the Transportation Regional Incentive Program (TRIP) to advance the six-laning of State Road 434 from Montgomery Road to Interstate 4 (FDOT Financial Project Number 240233-2-{4B, 43 & 45}-01). The original agreement for this project was approved by the Board on August 22, 2006, based on an original right-of-way cost estimate of \$10,000,000 leaving a local funding portion of \$4,436,733.

The FDOT recently revised the right-of-way cost estimate to \$13,689,786. Based on the original agreement, the County is responsible for the increase in right-of-way costs for this project. After interest earned by the FDOT on monies held for Seminole County in the amount of \$217,724 is taken into account, the County's responsibility is an additional \$3,472,062, due under the proposed Locally Funded Agreement Supplemental Amendment Number 1 by November 1, 2008. If the actual acquisition costs are less than the total right-of-way funds amount (TRIP and County's funds combined), FDOT will refund the proportionate share of the County's funds. The County will still be responsible for any acquisition costs over the total right-of-way funds contained in the project from the original Locally Funded Agreement and from Supplemental Amendment 1. The county's funding for its share of the project is from 2001 Infrastructure Sales Tax; a budget amendment will be presented at the May 6, 2008 board meeting to reflect the amendment.

STAFF RECOMMENDATION:

Adopt the Resolution and authorize the Chairman to execute a Locally Funded Agreement Supplemental Amendment Number 1 with the Florida Department of Transportation.

ATTACHMENTS:

1. Location Map
2. Resolution
3. Supplemental Amendment #1 SR 434-Montgomery-I-4

Additionally Reviewed By:

- ☒ Budget Review (Fredrik Coulter, Lisa Spriggs)
- ☒ County Attorney Review (Matthew Minter)

CIP # 205302

SR 434 from Montgomery Road to I-4

N



MARKHAM WOODS RD

END PROJECT

SR 434

RAYMOND AVE

NORTH ST

I-4

I-4

DOUGLAS AVE

MONTGOMERY RD

Wekiva Springs Road

BEGIN PROJECT

1 inch equals 1,000 feet

RESOLUTION

**THE FOLLOWING RESOLUTION WAS ADOPTED AT
THE REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS OF SEMINOLE COUNTY,
FLORIDA, ON THE 22nd DAY OF April, 2008.**

WHEREAS, the State of Florida Department of Transportation and Seminole County desire to facilitate the widening of State Road 434 from Montgomery Road to Interstate 4; and

WHEREAS, the State of Florida Department of Transportation has requested Seminole County to execute and deliver to the State of Florida Department of Transportation a Locally Funded Agreement Supplemental Amendment Number 1 for the Transportation Regional Incentive Program (TRIP) for the State Road 434 Project from Montgomery Road to Interstate 4, known as Financial Project Number 240233-2-(4B, 43 & 45)-01; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the Chairman is hereby authorized to make, execute and deliver to the State of Florida Department of Transportation a Locally Funded Agreement Supplemental Amendment Number 1 for the State Road 434 Project from Montgomery Road to Interstate 4, Financial Project Number 240233-2-(4B, 43 & 45)-01.

ADOPTED THIS 22nd DAY OF April, 2008.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY**

**MARYANNE MORSE, Clerk to the
Board of County Commissioners in
and for Seminole County, Florida.**

Brenda Carey, Chairman

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCALLY FUNDED AGREEMENT
SUPPLEMENTAL AMENDMENT NUMBER 1
EXECUTION DATE: _____

Financial Project No: 240233-2-(4B, 43 & 45)-01 County CIP No.: 205302	Fund: LF & TRIP	Agency: Seminole County Vendor No.: F596000856-065
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The terms of the original Locally Funded Agreement, executed on September 7, 2006, are hereby amended as follows:

The Cost Estimate for this project as stated in Exhibit "B" of the original agreement is amended as indicated on the attached Revised Cost Estimate, Exhibit "B". The COUNTY agrees to provide the DEPARTMENT an additional advance deposit in the amount of \$3,472,062 by November 1, 2008. This executed Supplemental Amendment will serve as notice that the total amount of Local Funding from the COUNTY for this agreement is now \$8,126,519.00.

Except as hereby modified, amended or changed, all of the terms and conditions of said original Agreement thereto will remain in full force and effect.

The following attachment is hereby incorporated into this Amendment:
Revised Cost Estimate, Exhibit "B"

IN WITNESS WHEREOF, the parties hereto have caused these presents be executed, the day and year first above written.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Name: Brenda Carey
Title: Chairman

By: _____
Name: George S. Lovett
Title: Director of Transportation Development

As authorized for execution by the Board of
County Commissioners at their _____,
2008 regular meeting.

Attest:

Attest:

MARYANNE MORSE, Clerk to the Board of
County Commissioners of Seminole County,
Florida.

Executive Secretary (Seal)

For use and reliance of Seminole County only.
Approved as to form and legal sufficiency.

Legal Review

Legal Review:

County Attorney

Exhibit "B"
Supplemental Amendment #1
Revised
Cost Estimate

	*TRIP Funding			Local Funding		
	Fiscal Year 06/07	Fiscal Year 07/08	Fiscal Year 08/09	Fiscal Year 06/07	Fiscal Year 07/08	Fiscal Year 08/09
Totals by Fiscal Year	\$295,720	\$3,839,960	\$1,427,587	\$295,720	\$2,839,960	\$4,990,839
Total	\$5,563,267			\$8,126,519		

The funds may be used on any phase of the PROJECT as stated in the original agreement

Local Fund Payment Schedule

Total Local Funds Due from Seminole County	\$8,126,519
Total Funds Received to Date from Seminole County	\$4,436,733
Less Interest Earned as of 2/14/2008	(\$217,724)
Total Funds Due by November 1, 2008	\$3,472,062

* The Department's share of the Total Project Cost is a lump sum amount that will not increase. In the event the Total Project Cost exceed the cost included in this Revised Cost Estimate, Seminole County will be solely responsible to provide the additional funds that are necessary to complete the Project.